

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Public) Application No. NG-0012.1
Alliance for Community Energy)
(ACE), seeking additional)
authority as a Competitive) PREHEARING CONFERENCE ORDER
Natural Gas Provider to serve)
the entire state of Nebraska.) Entered: December 16, 2005

BY THE HEARING OFFICER:

On November 4, 2005, the Public Alliance for Community Energy (ACE) filed an application seeking additional authority as a competitive natural gas provider pursuant to *Neb. Rev. Stat. § 66-1849* (Reissue 2003) and Rule 009 of the Natural Gas and Pipeline Rules and Regulations, Title 291, Ch. 9. The Petitions for Formal Intervention filed by the Public Advocate, Aquila Energy, Inc. d/b/a Aquila Networks (Aquila), and Cornerstone Energy, Inc. (Cornerstone) were granted in an order entered December 13, 2005.

In order to process the application, a prehearing conference was held in this matter on December 16, 2005, at 10:00 a.m. at the Commission Library, 1200 N Street, Lincoln, Nebraska and via telephone conference with all interested parties.

ACE contended that no discovery should be permitted. The formal intervenors argued that some discovery would be necessary. The hearing officer finds that discovery shall be permitted. All discovery requests shall be served no later than **5:00 p.m., December 23, 2005**. Responses to discovery requests shall be served no later than **5:00 p.m., January 3, 2006**. Parties making discovery requests are reminded of the limited time frame available for considering this application. Should any party object to discovery requests made, the hearing officer will address the objection as soon as possible and make appropriate adjustments to the schedule set forth herein.

Parties shall file any prefiled testimony and any prehearing briefs no later than **5:00 p.m., January 19, 2006**. Hearing on this matter is scheduled for **1:30 p.m., January 23, 2006** in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Parties wishing to file a supplemental brief or a post hearing brief shall do so no later than **5:00 p.m., January 26, 2006**.

A hearing fee of one-hundred twenty-five dollars (\$125.00) for each half day of hearing will be charged to the applicant payable upon billing from the Executive Director of the Public Service Commission (*Neb. Rev. Stat. §75-128*, Reissue 2003).

If auxiliary aids or reasonable accommodations are needed for attendance at the hearing, please call the Commission at (402)471-3101. For people with hearing/speech impairments, please call the Commission at (402)471-0213 (TDD) or the Nebraska Relay System at (800)833-7352 (TDD) or (800)833-0920 (Voice). Advance notice of at least seven days is needed when requesting an interpreter.

The parties have agreed to enter into discussions regarding limitation of the issues in dispute and will file any stipulations entered into prior to the hearing on this matter. Any remaining pre-hearing issues that the parties would like to address should be brought before the Commission prior to hearing.

The parties have also agreed that service may be made by electronic mail.

O R D E R

IT IS THEREFORE ORDERED by the Hearing Officer in the above-captioned matter that the foregoing schedule for submission and service of the items discussed above is hereby adopted.

IT IS FURTHER ORDERED that a hearing in Application No. NG-0012.1 will be held on **January 23, 2006, at 1:30 p.m.** in the Commission Hearing Room/Library, 300 The Atrium, 1200 N Street, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 16th day of December, 2005.

BY:

HEARING OFFICER